

REMARKS

Reconsideration of this application is respectfully requested.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-5, 7-11, 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,384,811 B1 by Kung, et al. ("Kung").

Claims 1-5

Applicant submits that independent claim 1, as amended, is not obvious over Kung in view of alleged knowledge in the art. Claim 1 recites:

An apparatus comprising:

a base;
a lid;
a first link hinged to the base about a first axis at a first position, and hinged to the lid about a second axis; and
a second link hinged to the base about a third axis at a second position, and hinged to the lid about a fourth axis, wherein a distance between the first position and the second position is shorter than one half of the length of the base.

(Claim 1, emphasis added).

As seen in Kung's Figures 2-9, the distance between a position (Kung reference numeral 32) where the first link hinges to the base and the distance between a position (Kung reference numeral 30) where the second link hinges to the base is greater than one half of the length of the base. Kung's Figure 7, for instance, shows that the position 32 of the first link hinge is at approximately one edge of the base and the position 30 of the second link hinge is approximately one fourth of the length of the base from the other edge. This makes the two positions approximately three-fourths the distance between the length of the base.

In fact, Kung cannot maintain the multiple positions shown in Figures 2-9 without

the distance between a position (e.g., Kung's Figure 7, reference numeral 32) where the first link hinges to the base and the distance between a position (e.g., Kung's Figure 7, reference numeral 30) where the second link hinges to the base being greater than one half of the length of the base. Applicants respectfully submit that the only way that Kung could teach the claimed limitation if there were an additional retaining hole on the base. For instance, if in Figure 7, there were an additional retaining hole (say at a position 38) between positions 30 and 32, then Kung could teach distance between a position (Kung reference numeral 32) where the first link hinges to the base and the distance between a position 38 where the second link hinges to the base is less than one half of the length of the base. However, such a modification to teach the claimed invention would render Kung inoperable, since then Kung could not maintain multiple link positions and the link 42 would essentially be rendered useless.

Therefore, as acknowledged by the Examiner, Kung does not teach or suggest a distance between the first position and the second position is shorter than one half of the length of the base, as claimed.

The Examiner is taking Official Notice of the missing elements. The Examiner states:

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reposition the links indicated at by Kung et al., in order to provide an alternate equivalent means of providing a support structure for the lid. Repositioning the links will still provide the same support for a lid in a portable computer.

(Office Action dated 01/10/06, p. 2).

Applicant respectfully objects to such Official Notice and requests the Examiner cite references in support of his/her position.

Applicant respectfully submits that the Examiner has not demonstrated the motivation required to combine Kung's disclosure with the facts taken in Official Notice. The Examiner

appears to have merely taken a desired end result, as recited in Applicant's claims, and stated that a combination of Kung and alleged knowledge in the art achieves this end result. Such a position is impermissible hindsight. Applicant respectfully requests the Examiner point to the required intrinsic or extrinsic motivation within the references themselves, or within knowledge of persons of ordinary skill in the art at the time of the invention, to form such a combination.

Accordingly, Applicant respectfully submits that Applicant's invention as claimed in claims 1-5 is not rendered obvious by Kung, and respectfully request the withdrawal of the rejection under 35 U.S.C. § 103(a).

Claims 7-11

Applicant submits that independent claim 7, as amended, are not obvious over Kung.

Claim 7 recites:

An apparatus comprising:

a base;

a lid;

a first link pivotally coupled to the base and pivotally coupled to the lid; and

a second link pivotally coupled to the base and pivotally coupled to the lid, the first and second link positioned to position an edge of the display a distance from a first edge of the base towards a second opposite edge of the base, when the lid is in an unfolded position, wherein a distance between the first edge and a position of hinging of the second link to the base is shorter than the distance between the position of hinging of the second link to the base and the second edge of the base.

(Claim 7, emphasis added).

As discussed, neither Kung nor the alleged knowledge in the art teaches or suggests "a distance between the first edge and a position of hinging of the second link to the base is shorter than the distance between the position of hinging of the second link to the base and

the second edge of the base,” as claimed. As such, Kung does not render obvious independent claim 7, and associated dependent claims 8-11.

Claims 14-16

Applicant submits that independent claim 14, as amended, is not anticipated by Kung. Claim 14 recites:

An apparatus comprising:
a base;
a lid;
a first link pivotally coupled to a first edge of the base at a first position and pivotally coupled to lid, a first distance from an edge of the lid;
and
a second link pivotally coupled to the base at a second position, a second distance from the first link, and pivotally coupled to an edge of the lid,
wherein a distance between the first position and second position is shorter than one half of the length of the base.

(Claim 14, emphasis added).

As discussed, neither Kung nor the alleged knowledge in the art teaches or suggests “a distance between the first position and second position is shorter than one half of the length of the base,” as claimed. As such, Kung does not render obvious independent claim 14, and associated dependent claims 15-16.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 6, 12, 13 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kung and the alleged knowledge in the art in view of US Patent No. 6,654,234 B2 by Landry, et al. (“Landry”).

Landry discloses a connector arm rotated about a hinge structure outwardly from the base of a portable computer to an angular orientation. (Landry, Fig. 10; col. 7, lines 34-10). Landry does not disclose a pair of links, as claimed in independent claims 1, 7, and 14.

Claim 6

As discussed above, neither Kung nor the alleged knowledge in the art teaches or suggests a distance between the first position and the second position is shorter than one half of the length of the base, as claimed in claim 1. Landry does not supply this missing element because Landry does not teach a pair of links. As such, claim 6, which depends from and includes each and every limitation of claim 1, is not obvious over Kung and the alleged knowledge and Landry.

Claims 12 and 13

As discussed above, Kung nor the alleged knowledge in the art teaches or suggests “a distance between the first edge and a position of hinging of the second link to the base is shorter than the distance between the position of hinging of the second link to the base and the second edge of the base,” as claimed in claim 7. Landry does not supply this missing element because Landry does not teach a pair of links. As such, claims 12 and 13, which depend from and include each and every limitation of claim 7, are not obvious over Kung and the alleged knowledge and Landry.

Claim 17

As discussed above, Kung nor the alleged knowledge in the art teaches or suggests “a distance between the first position and second position is shorter than one half of the length of the base,” as claimed in claim 14. Landry does not supply this missing element because Landry does not teach a pair of links.

As such, claim 17, which depends from and includes each and every limitation of claim 14, is not obvious over Kung and the alleged knowledge and Landry.

SUMMARY

Claims 1-17 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

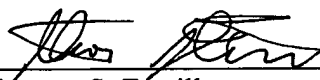
If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Tom Ferrill at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Dated: 5-9, 2006

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP



Thomas S. Ferrill
Attorney for Applicant
Registration No. 42,532

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300